

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
) Case No. 17-21820-JAD
Lance Patrick Alexander and Terri Ann Alexander,)
) Chapter 13
)
Debtor(s).) Related to Docs. #130 and 167
_____ X

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- X a plan modification sought by: Debtor
- ☐ a motion to lift stay
as to creditor _____
- X Other: Debtor must amend Plan to address receipt of lump sum payment and address continued Plan funding.

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☐ Chapter 13 Plan dated
X Amended Chapter 13 Plan dated 8/21/2020

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- X Debtor(s) Plan payments shall be changed from \$ 1,281 to
\$1,531 per month, effective May 2022; and/or the Plan term shall be changed
from ___ months to ___ months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.

X Other: The Office of the Chapter 13 Trustee received \$32,924.24, constituting the non-exempt proceeds from settlement of a personal injury claim. The Trustee shall withhold from these proceeds an amount sufficient necessary to pay all unsecured creditors in full, in addition to any percentage fees from such distribution, and shall in accordance with the Order at Doc 160 refund the excess balance of those proceeds to the Debtor Wife. The Trustee is authorized to make a distribution to unsecured creditors using these funds as soon as practicable. Debtors shall continue to make regular monthly payments, at the new amount, for the balance of time provided for in Debtors' 8/1/2020 Plan.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

SO ORDERED, this 21st day of April, 2022

Dated: 4/21/2022

A handwritten signature in black ink, appearing to be "JD", with a long horizontal stroke extending to the right. The signature is written over a horizontal line.

United States Bankruptcy Judge
Jeffery A. Deller

Stipulated by:

/s/ David A. Colecchia
Counsel to Debtor

Stipulated by:

/s/ Owen W. Katz
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

FILED
4/21/22 8:11 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA